

APPROVED

**STATE ADVISORY COUNCIL ON THE EDUCATION OF CHILDREN WITH
DISABILITIES**

**November 4, 2005
Hamilton-Boone-Madison
Carmel, IN**

ADVISORY COUNCIL MEMBERS PRESENT:

David Schmidt, Dawn Downer, Jane Swiss, Kathy Mears, Mary Ramos, Bret Lewis, James Hammond, III, Cathlene Hardy Hansen, Bessie Henson, Marcia Johnson, Becky Kirk, John Nally, Sarah Renner, Julie Swaim, Sheryl Shearer, Karol Farrell

DEPARTMENT OF EDUCATION STAFF PRESENT:

Brenda Alyea, Paul Ash, Nina Brahm, Jennifer Campbell, Alexandra Curlin, Bob Marra, Becky Reynolds, and Sandie Scudder

OTHERS PRESENT:

Bill McKinney and Dr. Charis Snyder-Gilbert
Susan Albrecht

INTERPRETERS:

Rebecca J. Madigan,

MEETING

David Schmidt (chair) began the meeting at 9:50 a.m. The minutes from the May 20, 2005, were approved as a correct document.

Introduction of new Board Members and DEL Staff

Introductions were made in roll call form each member was introduced and explained in what capacity they served the board. Kathy Mears is a new advisory counsel member to represent private schools. Becky Reynolds is the administrative assistant to the advisory council. Alexandra Curlin is the assistant director/attorney who oversees complaint investigations, mediation and hearings for DEL

Ball State Virtual Comprehensive Plan

Dr. Susan Albrecht, VESEC Director, was not available for the morning presentation.

State Performance Plan

Paul Ash, Sandie Scudder and Brenda Alyea presented information and solicited input on the State Performance Plan from the Advisory Council members who serve as the stakeholder group for State Performance Planning and Monitoring.

Paul Ash made the presentation (Power Point) regarding the State Performance Plan. As a part of the new IDEIA, all states are required to develop a state performance plan (SPP) based on the new federal performance indicators. States develop this plan utilizing data from the previous school years. The plan must include measurable goals for the next six years and must include activities and resources to reach those goals. Indiana's SPP is to be submitted to OSEP by December 2, 2005, and Advisory Council Members were encouraged to contact the Division with suggestions or other input regarding the SPP. The federally mandated performance indicators are:

- 1) Graduation rate
Comment: Certificate of completion is not a diploma and does not count toward the graduation rate. Currently using the cohort survival rate, Indiana will have a new formula on calculating the graduation rate for the 2005-2006 school year
- 2) Dropout rate
Comment: Several schools are working on creative programs to prevent students from dropping out "emotionally" at the elementary grade level.
- 3) Participation/performance of students with disabilities on statewide assessments
- 4) Suspension and expulsion rates
Comment: Indiana does not allow suspensions/expulsions beyond 10 days without the provision of services.
- 5) Least Restrictive Environment (ages 6 – 21)
Comment: The national average (percentage) for students with disabilities participating in regular education classes is 46%. Indiana's percentage is 58% and the combination of general education classes and resource classes is 79%.
- 6) Least Restrictive Environment (preschool)
Comment: The national average is 35% and Indiana's percentage is 36%. The codes will be changing at the federal level for this indicator. (B. Alyea) There has been wide disagreement nationally with the prior definition of the category part-time/part-time. An indication of the confusion was that if a child was served in a community preschool and was removed from the class for 15 minutes of speech therapy – i. e., articulation, it was automatically counted as part-time special education.

This formula gave a skewed view of where children were actually receiving most of the services. The new formula is more reflective of where children receive services. The percentage for the performance indicator is expected to change with the new formula.

- 7) Skill improvement (preschool)
Comment: All preschool children receiving special education services will be assessed utilizing the ISTAR.
- 8) Parent/school involvement:
Comment: In the past, Indiana has had a performance indicator indicating the percentage of parents that participate in case conferences. The new federal indicator is based on a parent survey indicating that schools facilitated parent involvement. Indiana has reviewed surveys from several states and the contractor-produced survey from OSEP and developed a survey. It will be sent out early next year.
- 9) Disproportionality (population)
Comment: Indiana has an extremely low disproportionality rate, however, DEL maintains a contract with IU Center for Policy and Planning to statistically review the data annually and work with school systems where disproportionality is a problem.
- 10) Disproportionality (disability category)
Comment: See above comments
- 11) Evaluation timelines
Comment: This is an overall problem for several planning districts/corporations. Many corporations and planning districts have timelines exceeding 20% of referrals. Many schools have weak GEI systems and refer many students who do not meet eligibility criteria, thus expending valuable time on evaluations that do not result in eligibility
- 12) Part C to Part B transition timelines
Comment: Considerably improved over the last few years.
- 13) Transition goals and services (age 16)
Comment: Federal indicator changing from age 14 to age 16.
- 14) Post-school employment/postsecondary education
Comment: Federal indicator changing from exit data and four years hence, to exit data and one year. Indiana has maintained the Post-School Follow-up Study for several years.
- 15) General supervision by the SEA
- 16) Complaints resolved within timelines
Comment: DEL receives from 100 to 120 complaints per year. Indiana requires that complaints be investigated in 30 days, the only state with a timeline so limited. Indiana is between 99 and 100% timely. All complaint reports are on the DEL website with identifiable information removed. Nationally, Indiana ranks well beyond other states on this indicator.
- 17) Hearing adjudicated within timelines

Comment: While about 98% of hearings are completed with the timelines, including hearing office extensions, about 99% of hearing requests are extended. This will be reviewed.

18) Hearing requests resolved through resolution sessions

Comment: New federal indicator. (A. Curlin) Parents can decline a resolution session, schools may not decline. If parents decline, it may be an indication of non-exhaustion of administrative remedies. (B. Alyea) A significant number of parent phone calls received at DEL are from parents that have not contacted their local special education planning district with the issue.

19) Mediations resulting in agreement

20) Timely state data submission

Indiana is one of the few states that monitors all special education planning districts on an annual basis. The annual monitoring process has been in effect since 1998. Each spring, a customized monitoring document, CIFM (Continuous Improvement Focused Monitoring) is electronically sent to each planning district. The document contains data pertinent to each individual corporation and planning district. There are target performance levels established for each indicator. Those planning districts and the individual corporations must complete an improvement plan, with strategies and timelines, if the data indicates below target level performance.

Ball State Virtual Comprehensive Plan

Discussion as to whether a quorum was present to vote on plan.

David updated the members on how the Virtual Coop was started and informed them about the schools that would like to join the Coop and that they are amending the agreement to add those schools and the purpose of coming together now and having us do it is that those kids get counted in the December 1 count.

- 21st Century Charter School at Fountain Square, 21st Century Charter School of Gary, East Chicago Urban Enterprise Academy, Galileo Charter School, Gary lighthouse Charter School and Indianapolis Lighthouse Charter School are new schools that are listed in the agreement. The rest in the agreement are currently a part of the coop.
- Page three (3) of the agreement explained that the Executive Committee will be selected from their advisory board. Prior to this the dean had final say now the advisory board will have say also in making decisions not just the dean.

Bob will follow up with question as to whether the teacher of record ever sees the child.

Charter schools have 2 Complaints and one hearing. Issues: suspension and expulsion. The other is a teacher of record. Two different schools.

Q. Are complaint issues any different from what we normally have?

A. Getting records are a little more difficult. You are dealing with coops instead of directors.

Mayor schools request that we monitor and a report is submitted to the mayor. Mayor hired a person to work on problems that were found after our office went to review.

Coop populations were discussed. (Bob will get a break down of schools for the January meeting.)

Discussed whether to vote or not.

Counsel reviewed plan and moved to go on to other business.

Julie made comment that the system has been in place and what they are adding, if they have been compliant then that does not relieve them of the responsibility for the new programs. If there is a problem of non compliance that would make a difference in approval. If we make a vote can an amendment be made.

Dr. Albrecht was contacted for afternoon presentation.

DISCUSSION

ISTEP Retesting Data

The data was handed out for retest and it has been discussed for a better breakdown.

The state is putting pressure on the schools to get the information out before Thanksgiving. We would be able to have a press conference in December to discuss ISTEP scores.

January meeting Bob will have data from ISTEP with a breakdown of special education.

Information for 2006

Computer sticks for lap tops will be customized with information for January meetings, e-mail, fax, or mail.

Update your contact information.

- Bad weather contact/notice.
- Are there teleconference capabilities?
- We can still have a discussion on the phone and vote next meeting.

Will call 24 hours in advance.

Other Information

Bob discussed procedures for rewriting Article 7.

Discussion for Jennings County to be on April agenda.

Ball State Virtual Comprehensive Plan

Dr. Albrecht apologized for not being present earlier.

Opened for questions. David Schmidt explained to Dr. Albrecht the process for amending plans to the council.

Dr. Albrecht indicated she would do the best she could as she had just come on board July 1, 2005 and this was already in the process of revising the joint services and supply agreement. Points of revisions are as follows:

New Schools

Discussed previously.

Executive Committee

- The addition an executive committee previously just an advisory board that was made up of a representative from each of the member schools in an advisory capacity. It was determined that from the advisory board they wanted to funnel and executive committee.
- An interim forum made up of six members of charter schools of that advisory board and is in the process of electing a seated board for a one year term.
- Responsibilities of the committee will be to review, advise, suggest, approve recommendations back and forth between the executive director

and the committee on behalf of the member schools. Decisions will also be made with regard to staffing, finances, hiring.

Staffing

- As of now there are three full time positions and three part time positions.
- A carry over grant has been written to include another teacher coordinator, another full time position and another part time position.
- A director, A data coordinator on site.
- A full time teacher coordinator
- Anticipated to hire after January 1 a second teacher coordinator for the Lake County area, where there is currently six schools. That position will also cover South Bend and West Lafayette.
- By next year will be putting another teacher coordinator in Indianapolis area and cover the southern corridor.
- A full time contracted speech therapist. She is on staff does some therapy and coordinates all the contract service providers all over the state.
- A half-time occupational/physical therapy coordinator licensed OT.
- A half time school psychologist that is working contracted services for us as psych service coordinator and that person is considering being contracted full-time. This person is contacting school psychologists all over the state who by nature of their license and their agreement are free to be contracted for additional assessments outside where their employment contracts are.

An organizational chart which will soon be on our web. The web will show that we have a director, and office assistant, and executive assistant, and data coordinator and the coordinators in each of the service areas.

Q. In the hiring of coordinating teachers, will they be the teacher of record?

A. We have 34 special ed. teachers in our 29 schools every school has at least one some have two. Most of those teachers are licensed at mild disability LD and MI few of them have an older license that are just MR or just LD. What we are missing then are the mild interventions that also include ED. We have had a teacher of record for ED that had served other school. That is not a good model but we are working on that. One of the teachers that we hired this summer is an HI teacher. We have one teacher in Evansville and one teacher in Indianapolis that is licensed in HI. Like most school corps we share one teacher in different schools. Those people have a rotations period among the students in their areas. We have one student in Indianapolis with VI and another in a new school in Lake County.

Q. How does the teacher of record see those children?

A. You have to see how creative you can get. One option that I hope to explore would be to go to the local area and buy some extra services from

you. We were successful with that with one teacher in southern Indiana who has a contract with a local traditional public school corporation and we were able to buy some time outside her contract. Her contract ends at 3:10 and also works in one of our schools that goes till 4:30.

Q. For each school that has the special ed license, is that person the is the compliant person for the move-in conference or would your coordinate teachers be that person?

A. In some of our schools that person is one and the same. The coordinator is the special ed. teacher. In some of our other schools we have both.

After December 1 count there will be an audit to determine how much service is needed for each school.

Q. Is that the schools responsibility to see that the services are in place?

A. The coop. provides for therapeutic services, speech, OTPT, psychological assessments. The coop. does not provide the staff in the buildings. That is up to them within their budget within their own teaching staff and assistants. We will partner with the schools when the need increases. The bottom line though is that staffing is the responsibility of the building. Before the door is opened it will be required that full staff and training is available.

Q. Will the teacher of record meet these children face to face.

A. I will say that they will. I can't tell you what they have done in the past. I know I have to make the staff accountable for that. (Discussion of video conferencing.) There still has to be some kind of personal contact.

Q. Describe infrastructure for transition services as it pertains to employment and employment related services.

A. I could only tell you what I have observed in the schools. I have spent some time at Options and have talked to Rob Machino and Kevin Davis and even talked to a couple of the kids. And that is part of the schools to get you a meaningful high school education, get you a diploma and then prepare you for that next step. They have a coop program and an internship program with the community where these kids are in positions, paid positions, that will be successful enough that the employer can support them.

Q. Is the vocation rehabilitation counselor in earlier, maybe the second semester of the senior year in high school.

A. I can't guarantee that, I can only assure that they are in compliance with the law.

Q. Do the employees go through an HR person at each school?

A. We have our third services coordinator. Tina Faulkner. She contacts with a net work of local services providers and she would make arrangements. Also the schools were told to look around in your community to see who would wants to do this work. You know your community. Contracts were recommended. We are not doing it that way because of budget and monitoring the quality of services.

Q. Who checks out for criminal checks?

A. It will have to check that out, I know that we check for liability.

Q. Where are you generating dollars from when other schools are cutting back?

A. The funds for our contracts come from federal special ed. dollars.

CODA issues were discussed.

Dr. Albrecht explained why they didn't have all the signatures.

David Schmidt requested vote. Becky Kirk gave motion to approve with all appropriate signatures, seconded by Marcia Johnson and Jim Hammond. The Ball State Virtual Comprehensive Plan was approved. Noted one No vote.

Dr. Albrecht thanked everyone for their patience.

Other Information

Cheryl had information on a public forum for Children's Behavior Health Plan on November 16, 2005 at the Indiana Government Center from 1:00 to 3:00 p.m. She also discussed other upcoming events with workforce development.

Meeting adjourned at 1:30 pm.